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STATE

PLAN

ON

AGING

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REVIEW AND APPROVAL BY THE GOVERNOR
OF
THE STATE PLAN ON AGING

I hereby approve and submit the State Plan on Aging for fiscal year 1979, which includes State objectives and allocation plans for implementation of the Title III and Title VII Programs and a commitment that the State will carry out these programs in keeping with the provisions of the Act, and all established regulations, policies and procedures.

Department of Social & Rehabilitation Services,
The Aging Services Bureau
(Designated State Agency)

has the authority to prepare the State Plan; is the sole State Agency responsible for administering the State Plan; and is primarily responsible for coordination of State programs and activities related to the purposes of the Older Americans Act of 1965, as amended.

Nothing in this State Plan is inconsistent with State law.

(Date)

(Signed)

Governor)

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FY 19 79

CONDUCT OF PUBLIC HEARING(S) ON STATE PLAN

Prior to submission of this State plan for approval, a public hearing(s) on the content of the plan was conducted. The following is a description of how the hearing process and actual hearing(s) was conducted including the method by which public notice of the hearing(s) was given; date(s) and location(s) of the hearing(s); opportunities given to the State advisory committee on aging, area agencies, Title VII nutrition projects, and their advisory councils for prior review of the plan; number and categories of persons in attendance at the hearing(s); method by which State agency reviewed comments and suggestions after hearing(s); changes made in State plan, if any, as a result of meeting(s).

The public hearing for the FY 1979 State Plan on Aging was held in Helena, Montana at the Department of Social and Rehabilitation Services auditorium between 1:00 p.m. and 3:30 p.m. on July 14, 1978.

The hearing announcements were published in the Billings, Great Falls, Helena, Butte, Missoula and Kalispell daily newspapers on June 16, 1978, June 23, 1978, July 7, 1978 and July 14, 1978. Announcements were made on the same dates on eighteen radio stations of the Montana Inter-mountain Network. A news release was given to six television stations across the state and to Associated Press and United Press International offices in Helena for coverage on June 30, 1978. A cover letter giving the date, time and place of the hearing was sent to State Advisory Council members, the Montana Senior Citizens Association, Area Agencies and Title VII projects along with a complete draft of the plan on June 23, 1978.

The hearing on the State Plan was held in Helena for its central location and in the afternoon to allow attendees to come into Helena the morning of the hearing. Also, the hearing was scheduled and held after all hearings on the Area Agency Plans and Title VII projects had been conducted. This allowed for input to the specific programming in each Planning and Service Area prior to the State hearing and avoided any conflict with these earlier hearings.

The State Plan was available for review in the State Office from June 23, 1978 through July 28, 1978. Each State Advisory Council member was mailed a copy of the State Plan on June 23, 1978. Copies of the plan were mailed to each Area Agency and Title VII project on the same date. In addition, each Area Agency was mailed enough plans for further distribution to each county and/or reservation in their respective planning and service areas.

FY 19 79

CONDUCT OF PUBLIC HEARING(S) ON STATE PLAN

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The hearing was conducted under Roberts Rules of Order, the Bureau's Information Officer served as Hearings Officer. Summaries of the plan were available at the door for those attending. The objectives, budget and formula for the distribution of funds were read and explained. Forty-three people attended and represented the University System, Area Agencies, Title VII Projects, the State Advisory Council, Montana Senior Citizens Association, older consumers, Area Advisory Councils and other state agencies. The major objection to the plan was to the objective concerning the home delivered meals reduction. This was discussed at length. It was explained that this involved documentation for the need of a home delivered meal as opposed to a congregate meal and that this would not mean doing away with the meal or a reduction in a project's funds. Another objective was presented for inclusion in the plan, to do a needs study for PSA VII and also that PSA VII did not receive adequate administration funds. It was explained at the hearing and responded to later by letter that PSA VII received the same Title III administration funds as all other Area Agencies and there had been a needs study funded through ACTION in 1977 and PSA VII had not participated although they had been requested to participate. The hearing was adjourned at 3:30 p.m.

Written objections to and support of the State Plan were permitted for fourteen days following the hearing - through July 28, 1978. Objective eleven was added as a result of comments received. The State Advisory Council reviewed the final draft of the State Plan prior to submission to the Governor.

INDEX OF EXHIBITS

<u>TITLE OF EXHIBITS</u>	<u>NUMBER</u>
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Statement of State Objectives	I.2
PART II: SUMMARY RESOURCE ALLOCATION PLAN	
Summary Resource Allocation Plan	II.1
Method of Distributing Title III and VII Funds to Sub-State Areas	II.2
PART III: STANDARD ASSURANCES	
Participation by Low Income and Minority Older Persons	
Awards to Minority Organizations/Agencies	
Equal Employment Opportunity	
Affirmative Action Plans	
Civil Rights Compliance	
Services for Elderly Indian Tribal Members	
Non-discrimination on Basis of Handicap	
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PART IV: SUPPLEMENTAL EXHIBITS(As Necessary)	

PART I: STATE OBJECTIVES

SUMMARY LISTING OF STATE OBJECTIVES

Objective #1	To standardize contracts used by Title VII Projects by September 30, 1979.
Objective #2	To reduce the home-delivered meals served by Title VII to a statewide percentage of 25% by September 30, 1979.
Objective #3	The Aging Services Bureau, through the Aging Services Network, will conduct a survey of all senior citizen centers statewide by September 30, 1979.
Objective #4	Survey recipients of all Older Americans Act service projects to determine percentage of participation by low-income and minority senior citizens by September 30, 1979.
Objective #5	Increase the effectiveness and coordination of all Human Service Programs at community, county and PSA levels through the individual County Councils on Aging and the Area Agencies by September 30, 1979.
Objective #6	To improve the availability of in-home services to residents of low-income housing projects by September 30, 1979.

SUMMARY LISTING OF STATE OBJECTIVES

Objective #7	To implement a formal agreement with the Montana Nursing Home Association by September 30, 1979.
Objective #8	Co-sponsor a contest within the public school system designed to counteract the early development of negative stereo types about older persons by September 30, 1979.
Objective #9	Expand monthly Information and Referral report to include consumer watch information by May 31, 1979.
Objective #10	Increase the in-house management capabilities of Title VII projects by September 30, 1979.
Objective #11	Implement a formal agreement with the Mental Health and Residential Services Division of the Department of Institutions by September 30, 1979.
Objective #	

FY 19 79Page 1 of 2

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 1) To standardize contracts used by Title VII projects by September 30, 1979.

Rationale for Selection of Objective and Projected Impact,Especially for Serving Low-Income and Minority Older Persons:

Title VII projects have not been receiving necessary information to substantiate caterers' costs in contracts. There have also been differences in contract provisions between reservations and other subcontractors and Title VII projects. Standardization will ensure statewide uniformity of services, improve cost control by projects and assure compliance with Title VII regulations.

Major Action Steps to Achieve Objective:Estimated Date
of Completion

Step 1 Analyze current contracts and subcontracts for strengths and weaknesses.

November 30, 1978

Step 2 Develop a standard catering contract and a standard subcontract.

December 31, 1978

Step 3 Submit catering contract to A.O.A. and U.S.D.A. for review and approval.

January 31, 1979

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Distribute new contract formats to projects.	May 30, 1979
Step 5 Recontract for new grant year using standard contracts.	August 31, 1979
Step 6 Evaluate the effectiveness of the contractual arrangements.	October 31, 1979
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 2) To reduce the home-delivered meals served by Title VII to a statewide percentage of 25% by September 30, 1979.

Rationale for Selection of Objective and Projected Impact,Especially for Serving Low-Income and Minority Older Persons:

Currently the statewide percentage of home-delivered meals served is 32.6%. This percentage has increased because there has been little emphasis placed on it at both the state and project level. Often there is little or no documentation of need for continuing home delivered meal service. Also, Title VII is almost always the only provider of such a service in Montana. However, Title VII is designed as a congregate meal program and Montana's services must be realigned with the intent of the legislation.

Major Action Steps to Achieve Objective:Estimated Date
of Completion

Step 1 Advise projects of requirement for decreasing number of home-delivered meals.

October 1, 1978

Step 2 Develop guidelines for projects.

October 31, 1978

Step 3 Distribute guidelines to projects for implementation.

November 30, 1978

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Provide assistance to projects in complying with the guidelines.	Ongoing monthly September 30, 1979
Step 5 Evaluate the progress of projects in reducing the percentage of home-delivered meals.	Semi-annually September 30, 1978
Step 6	
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 3) The Aging Services Bureau, through the Aging Services Network, will conduct a survey of all senior citizen centers statewide by September 30, 1979.

Rationale for Selection of Objective and Projected Impact,Especially for Serving Low Income and Minority Older Persons:

Because of the initiative put out by the Administration on Aging concerning One-Stop Multipurpose Centers, the Aging Services Bureau, through a survey, will determine the activities and/or services presently available in the senior centers of this state. The survey will also determine capacities for expansion of services/activities of existing centers and levels of compliance with Section 504 of the Rehabilitation Act of 1973.

Major Action Steps to Achieve Objective:Estimated Date
of Completion

Step 1 Develop survey instrument to be used on a statewide basis.

November 30, 1978

Step 2 Identify all senior citizen service centers.

December 31, 1978

Step 3 Distribute through the Aging Services network the survey instrument to all centers identified.

January 31, 1979

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Tabulate results of all returned survey forms.	April 30, 1979
Step 5 Analyze survey data and identify existing or potential one-stop multipurpose senior centers.	June 30, 1979
Step 6 Distribute survey results to the Aging Services Network and the Regional Office of the Administration on Aging.	September 30, 1979
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 4) Survey recipients of all Older Americans Act service projects to determine percentage of participation by low-income and minority senior citizens by September 30, 1979.

Rationale for Selection of Objective and Projected Impact,
Especially for Serving Low-Income and Minority Older Persons:

Due to the non-specificity of the present reporting systems in Titles III and VII, the reliability of data concerning unduplicated numbers of low-income and minorities served is suspect. This was substantiated by the results of a recent survey of Aging Services providers by the Federal General Accounting Office and the Major Initiative Tracking Study (MITS) of Title VII Projects. The Aging Services Bureau, through survey results, can ascertain present levels of participation and provide assistance to service providers to increase the percentage of participation by the low-income and minority groups as mandated. The methods and handling of all data relating to survey respondents will insure confidentiality.

<u>Major Action Steps to Achieve Objective:</u>		<u>Estimated Date of Completion</u>
Step 1 Develop survey method, instrument and methods to assure confidentiality.		December 31, 1978
Step 2 Distribute survey packages and instructions to the Aging Services Network for completion by service recipients.		January 28, 1979
Step 3 Tabulate results of all returned survey forms.		April 30, 1979

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Analyze data results and determine services needing improvement and/or assistance in serving target groups.	May 31, 1979
Step 5 Distribute results of survey to Aging Services network.	June 30, 1979
Step 6 Develop and provide assistance to service providers for improving levels of participation by specified target groups.	September 30, 1979
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 5): Increase the effectiveness and coordination of all Human Service Programs at community, county and PSA levels through the individual County Councils on Aging and the Area Agencies by September 30, 1979.

Rationale for Selection of Objective and Projected Impact:Especially for Serving Low-Income and Minority Older Persons:

Individual County Councils on Aging are the foundation of the Aging Services Network in Montana. The structure of the councils are such that they represent and are knowledgeable of all communities within their respective counties. Because of the local knowledge and the councils integration into the Area Agencies on Aging, the councils can serve as the focal point within the individual county for coordination of all services that inter-relate with Aging Services.

An active County Council on Aging can be the prime mover as far as inter-service coordination to structure comprehensive service delivery at the local level and can also provide direction to insure that the services meet the needs of the low-income and minority elders of the local communities.

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 1 Discuss and develop with the Area Agencies on Aging methods to involve County Councils on Aging in coordinating services.	January 31, 1979
Step 2 Distribute to CCOA through Area Agencies on Aging, information and methods developed.	March 31, 1979
Step 3 Provide assistance to County Councils on Aging in implementing methods developed.	September 30, 1979

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Evaluate effects of involvement by County Councils on Aging.	September 30, 1979
Step 5 Redefine actions needed and accomplished for further implementation.	September 30, 1979
Step 6	
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 6) To improve the availability of in-home services to residents of low-income housing projects by September 30, 1979.

Rationale for Selection of Objective and Projected Impact:Especially for Serving Low-Income and Minority Older Persons:

Providing low-rent housing for senior citizens has been seen as an end in itself. However, in-home services are essential to enable some senior residents to maintain independence in these living situations. Coordinating in-home services with housing projects will enable more residents to remain in their homes. Increased service provision to housing projects with high concentrations of elderly will, in turn, direct the services to more low-income and minority seniors.

Major Action Steps to Achieve Objective:Estimated Date
of Completion

Step 1 Identify through the Aging Services network the housing projects with concentrations of senior citizens.

December 31, 1978

Step 2 Direct, through the Area Agencies and Title VII Projects, outreach work to the identified housing projects.

Monthly
September 30, 1979

Step 3 Information and Referral technicians make housing projects a stop on their regular schedule.

Monthly
September 30, 1979

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Provide sample written agreement for use by Area Agencies and Title VII projects and housing projects.	March 31, 1979
Step 5 Provide assistance to providers in increasing and coordinating services to residents of housing projects.	Ongoing Monthly September 30, 1979
Step 6 Evaluate the effectiveness of provision of in-home services to residents in housing projects.	Ongoing Quarterly September 30, 1979
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 7) To implement a formal agreement with the Montana Nursing Home Association by September 30, 1979.

Rationale for Selection of Objective and Projected Impact:Especially for Serving Low-Income and Minority Older Persons:

For the past several years deinstitutionalization has been a popular goal. However, it is recognized that there are Senior Citizens who have no other alternative than an institution. Therefore, it is essential that all service providers work together to maintain a high quality of life for these persons. A formal working agreement between the Montana Nursing Home Association and SRS, Aging Services Bureau can help provide such coordination, particularly when it is implemented on the local level. Montana Nursing Home statistics indicate that increased coordination would provide an improved benefit to the low-income and minority elderly that are institutionalized.

Major Action Steps to Achieve Objective:Estimated Date
of Completion

Step 1 Meet with the Montana Nursing Home Association to examine common needs and objectives.

November 30, 1978

Step 2 Meet with the Montana Nursing Home Association to develop guidelines for a formal agreement.

January 31, 1979

Step 3 Formalize agreement between Montana Nursing Home Association and Aging Services Bureau.

February 28, 1979

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective</u>	<u>Estimated Date of Completion</u>
Step 4 Distribute the agreement to the Aging network and nursing homes.	March 31, 1979
Step 5 Provide assistance to area agencies on aging and nursing homes in the development of joint assistance agreements.	July 31, 1979
Step 6 Review and evaluate the effectiveness of agreement.	August 31, 1979
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 8) Co-sponsor a contest within the public school system designed to counteract the early development of negative stereotypes about older persons by September 30, 1979.

Rationale for Selection of Objective and Projected Impact.Especially for Serving Low-Income and Minority Older Persons:

The development and fostering of negative attitudes toward older persons, as with most societal attitudes, begins during the early school years of children. To affect a change in the attitudes of society toward older persons, one must begin at the most impressionable age of the individual. Toward initiating this change, the Aging Services Bureau in conjunction with the Montana Department of Public Instruction, the Aging Services network and the local media will sponsor a poster and essay contest for school children on the positive aspects of older persons. Packets will be prepared and distributed to encourage teachers to examine old age in the classroom in conjunction with the contest. The anti agism basis of the contest should have an expanding effect through media coverage and carryover from the students to their families.

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 1 Solicit co-sponsorship and coverage of contest by mass media statewide.	Ongoing October 31, 1979
Step 2 Develop contest and campaign materials with co-sponsors.	December 31, 1978
Step 3 Distribute contest and campaign materials to County Superintendents of schools.	December 31, 1978

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Aging Services Bureau and Advisory Council on Aging will establish procedures for selection of judging committee.	December 31, 1978
Step 5 Receive contest entries and select four best entries.	December 31, 1978
Step 6 Print and distribute three posters and essays to Area Agencies, Title VII Projects, and other public agencies.	February 28, 1979 May 31, 1979 August 31, 1979
Step 7 Presentation of plaque to first place poster contestant at annual Governor's Conference on Aging.	October 31, 1979
Step 8 State Advisory Council evaluate effectiveness of campaign.	September 30, 1979
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (# 9) Expand monthly Information and Referral report to include consumer watch information by May 31, 1979.

Rationale for Selection of Objective and Projected Impact,
Especially for Serving Low Income and Minority Older Persons.

At present the Aging Services Bureau send a monthly compilation of the numbers and types of referral cases processed the previous month to the Aging Services Network. In cooperation with the Consumer Affairs Division, Crime Control Division, Montana Sheriffs and Peaceofficers Association, and the Montana Legal Services Association, the Aging Services Bureau will incorporate in the monthly bulletin a section concerning consumer fraud. The section will be directed specifically at fraudulent activities aimed at senior citizens. The cooperative association of the aforementioned parties will be reciprocative in nature. Any information on activities that are designed to abuse or exploit senior citizens, particularly low-income and minority, will be shared.

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 1 Solicit information from other regions or state concerning programs to stop fraud against senior citizens.	December 31, 1978
Step 2 Contact organizations within the state to establish lines of communication and information transport.	February 28, 1979
Step 3 Implement inclusion of information concerning fraud in Aging Services Bureau bulletins to the Aging Services network.	Monthly September 30, 1979

(Attach Continuation Sheets as Needed)

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective.</u>	<u>Estimated Date of Completion</u>
Step 4 Transferring of information between agencies involved as it is available.	Monthly September 30, 1979
Step 5 Evaluate impact of program.	September 30, 1979
Step 6 Set new goals to establish the program as an ongoing one.	September 30, 1979
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (#10) Increase the in-house management capabilities of Title VII projects by September 30, 1979.

Rationale for Selection of Objective and Projected Impact,
Especially for Serving Low-Income and Minority Older Persons

The Major Initiative Tracking System Survey recently completed has shown that Montana Title VII projects need to institute some different management techniques to improve cost control. By emphasizing training in areas shown to be weak by the MITS survey, projects can cut costs, thus enabling them to increase numbers of meals served, especially to low-income and minority seniors. Introducing the new MITS reporting format will simplify collection and analysis of management information for the projects.

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 1 Adapt the Major Initiative Tracking System form for use by projects.	October 1, 1978
Step 2 Distribute the new format for use by Title VII projects.	October 31, 1978
Step 3 Provide food service management training to Title VII projects.	March 31, 1979

(Attach Continuation Sheets as Needed)

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Provide assistance in increasing management skills to Title VII projects.	Ongoing Monthly September 30, 1979
Step 5 Evaluate the effectiveness of the revised management reporting format.	Quarterly September 30, 1979
Step 6	
Step 7	
Step 8	
Step 9	
Step 10	
Step 11	
Step 12	
Step 13	

STATEMENT OF STATE OBJECTIVES

(For each objective complete one set)

Statement of Objective (#11) Implement a formal agreement with the Mental Health and Residential Services Division of the Department of Institutions by September 30, 1979.

Rationale for Selection of Objective and Projected Impact,
Especially for Serving Low-Income and Minority Older Persons:

Montana's Mental Health and Residential Services Network is statewide and integration of this network into the Aging Services Network will provide additional information concerning local resources and services. Expanding Information and Referral services to include the additional information and resources will further the goal of preventing early institutionalization and assist in deinstitutionalization of elderly Montana citizens.

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 1 Meet with Mental Health and Residential Services Division to develop content of agreement. -	November 30, 1978
Step 2 Formalize and sign agreement.	December 31, 1978
Step 3 Distribute agreement and methods of implementation to Area Agencies and Title VII projects.	January 30, 1979

STATEMENT OF STATE OBJECTIVES

(Continued)

<u>Major Action Steps to Achieve Objective:</u>	<u>Estimated Date of Completion</u>
Step 4 Distribute sample written agreements to Area Agencies and Title VII Projects for use with Regional Mental Health Centers.	February 28, 1979
Step 5 Provide in cooperation with Mental Health and Residential Services Division, assistance to Area Agencies, Title VII Projects and Regional Mental Health Centers in establishing local agreements.	Ongoing September 30, 1979
Step 6 Evaluate the effectiveness of agreements established and modify, if needed, for establishment as ongoing program.	September 30, 1979
Step 7	
Step 8	
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PAGE 11 PROJECT ALLOCATION PLANS

SUMMARY RESOURCE ALLOCATION PLAN

PART I.

SUMMARY OF RESOURCES FOR IMPLEMENTING THE STATE PLAN

A. TOTAL TITLE III ALLOTMENT.	\$ <u>957,350</u>	
B. TOTAL TITLE VII ALLOTMENT:	\$ <u>1,237,500</u>	
	SUB-TOTAL	\$ <u>1,994,850</u>
C. RESOURCES AVAILABLE TO STATE AGENCY OTHER THAN TITLE III AND TITLE VII ALLOTMENT FOR IMPLEMENTING THE STATE PLAN:		
• OTHER FEDERAL	\$ <u>1,271,418</u>	
• STATE AND OTHER	\$ <u>1,323,717</u>	
	SUB-TOTAL	\$ <u>2,595,135</u> ¹
TOTAL STATE AGENCY RESOURCES		\$ <u>4,589,985</u>

PART II:SUMMARY OF RESOURCES FOR STATE PLANNING, COORDINATION,
ADMINISTRATION AND EVALUATION OF STATE PLANS

A. TITLE III ALLOTMENT:

• Administration of Title III and Title VII	\$ <u>200,000</u>	
• Training	\$ <u>-0-</u>	
• Demonstration Projects of Statewide Significance	\$ <u>-0-</u>	
• Administration of Area Plans	\$ <u>-0-</u>	
	SUB-TOTAL	\$ <u>200,000</u>

B. RESOURCES OTHER THAN TITLE III:

• FEDERAL	\$ <u>80,000</u>	
• STATE AND OTHER	\$ <u>66,667</u>	
	SUB-TOTAL	\$ <u>146,667</u>

TOTAL RESOURCES FOR PLANNING, COORDINATION,
ADMINISTRATION AND EVALUATION OF STATE PLAN\$ 346,667

C. FEDERAL AND STATE COST SHARING

- FEDERAL 75 %
- STATE 25 %

SUMMARY RESOURCE ALLOCATION PLAN
(Continued)PART III:AREA PLANNING AND SOCIAL SERVICES PROGRAM

A. TITLE III ALLOTMENT:

- Direct Provision of Services by State Agency \$ -0-
- Areas With Designated Area Agencies \$ 757,350
 - 1. Program Planning & Administration \$ 113,602
 - 2. Development of Action Programs \$ 643,748
 - (a) Coordinating Delivery of Existing Services ()
 - (b) Pooling of Available but Untapped Resources ()
 - (c) Supporting Services (643,748)
 - (d) Gap-Filling Services ()
- Areas Not Covered By Area Plans \$ -0-

\$ 757,350

B. RESOURCES OTHER THAN TITLE III:

- STATE AND OTHER \$ 801,175
- FEDERAL \$ 987,179

\$ 1,788,354²

C. TOTAL RESOURCES FOR AREA PLANNING AND SOCIAL SERVICES PROGRAM:

\$ 2,545,704PART IV:NUTRITION PROGRAM

A. TITLE VII ALLOTMENT:

- Nutrition Services \$ 990,000
- Social Services \$ 247,500

\$ 1,237,500

B. RESOURCES OTHER THAN TITLE VII:

- STATE AND OTHER \$ 455,875
- FEDERAL \$ 204,239

\$ 660,114³

C. TOTAL RESOURCES FOR NUTRITION PROGRAM:

\$ 1,897,614

2. See number 2, page 3 of Exhibit II-1.

3. See number 3, page 3 of Exhibit II-1.

1. Of this total, only those funds appearing in Part II, Section B Resources Other Than Title III of this Exhibit are directly available to the State Agency. All other funds are available to or administered by the Area Agencies and/or Title VII projects.
2. This entire amount is available to and administered by the Area Agencies.
3. This entire amount is available to and administered by Title VII Projects.

SUMMARY RESOURCE ALLOCATION PLAN
(Continued)PART V: SOURCES AND AMOUNTS OF RESOURCES OTHER THAN TITLE III AND TITLE VII INCLUDED
UNDER PARTS I-IV.

Source of Resources	Amount	Anticipated to be Received (✓)	Currently Available (✓)
Title IV-A	30,000	X	
Title V	200,000	X	
Nursing Home Ombudsman & Legal Services	50,000	X	
State	168,125		X
Title XX	523,000		X
Other Federal	468,418	X	
Local Public*	659,911	X	
Local Private*	429,014	X	
Match for State Administration	66,667		X
TOTAL:	\$2,595,135		
*Exact sources unknown at this time. These funds are based on monies other than Title III and Title VII generated by the operations of the Area Agencies and Title VII Projects during F.Y. 1978.			

STATE MontanaEXHIBIT II-2FY 19 79

METHOD OF DISTRIBUTING
TITLE III AND TITLE VII FUNDS
TO SUB-STATE AREAS

Describe the formula, or method employed/to be employed, to distribute Title III and Title VII funds within the State.

The Department of Social and Rehabilitation Services, Aging Services Bureau distributes all funds - Title III, Title V, Title VII, Title XX and State program monies - to Planning and Service Areas within the State by a 60/20/20 population formula. Sixty percent (60%) of the funds are allocated to PSA's according to the total 60+ population; twenty percent (20%) according to the 60+ minority population; and, twenty percent (20%) according to the 60+ low-income 60+ population. The only federal funds not allocated to PSA's by the 60/20/20 formula are the monies - the fifteen percent (15%) - allowed for Area Agency administration. These funds are allocated equally to all Area Agencies.

Population data for each PSA on a county/reservation by county/reservation basis for the total number of 60+ persons, the total number of 60+ minority persons and the total number of 60+ low-income persons are taken from the most reliable census data. Each funding source - Title IV, Title V, etc. is divided into three amounts - sixty percent (60%), twenty percent (20%) and twenty (20%) of the total state allotment. The appropriate population percentages are then applied to the three amounts to determine the total allocation of each funding source for each PSA.

This formula was developed to address the distribution of funds to states by the federal government which is based on populations of senior citizens. And, to address the target groups of the Older Americans Act - minority and low-income senior citizens. Page 2 of this Exhibit shows the amounts of Title III and Title VII funds allocated to the Planning and Service Areas by the 60/20/20 formula.

FY 19 79

TITLES III, V, VII AND XX
RESOURCE ALLOCATION PLAN
BY 60/20/20 FORMULA

PLANNING AND SERVICE AREA	TITLE III		TITLE V	TITLE VII	TITLE XX	T O T A L
	AREA AGENCY ADMINISTRATION	SOCIAL SERVICES				
I	\$16,228	\$86,597	\$26,904	\$164,364	\$84,098	\$378,191
II	16,229	118,140	36,704	218,770	102,717	492,560
III	16,229	116,698	36,256	311,100	116,630	596,913
IV	16,229	64,079	19,908	140,397	51,868	292,481
V	16,229	74,430	23,124	186,806	60,158	360,747
VI	16,229	133,102	41,352	216,063	107,529	514,275
VII	16,229	50,702	15,752	(142,070)*	(19,747)*	82,693 (161,817)*
T O T A L	\$113,602	\$643,748	\$200,000	\$1,237,500	\$523,000	2,717,850

*Administered through subcontracts from PSA's I, II, III, and VI.

PART III - STANDARD ASSURANCES

PART III - STANDARD ASSURANCES

Department of Social & Rehabilitation Services,
The Aging Services Bureau _____ certifies as follows:
(State Agency)

1. Participation of Low Income and Minority Older Persons

In all cases, Title III area plans will provide that priority be given to those activities and services which will assist and benefit low income and minority older persons throughout the planning and service areas and shall assure that to the extent feasible, and with respect to resources made available under the plan, low income and minority individuals will be served at least in proportion to their relative numbers in the planning and service area. Each urban and each rural area selected to receive a Title VII award will contain a major concentration (urban) or high proportion (rural) of target group older persons whose income is below the current Department of Commerce poverty threshold. In selecting areas for Title VII project awards, the State Agency shall also consider the minority group eligible individuals in such areas in order to assure that of the total number of elderly served each fiscal year, minority individuals will be served, at least in proportion to their numbers of eligible individuals in the State.

2. Awards to Minority Organizations/Agencies

Each area agency in the State shall award grants and subgrants/contracts and subcontracts under the Title III approved area plan to minority agencies/organizations in proportion to the number of all minority persons within the planning and service area. In States designated as single planning and service areas, Title III grants and subgrants/contracts and subcontracts shall be awarded to minority agencies/organizations in proportion to all minority persons in the State. Grants and subgrants/contracts and subcontracts under Title VII, to the extent feasible, shall be awarded to minority agencies/organizations in proportion to the number of minority older persons who are eligible for Title VII services in the State.

3. Equal Employment Opportunity

Adequate numbers of qualified staff, including handicapped persons, women, older persons, and members of minority groups will be assigned full time, solely to the State agency; subject to the requirements of the merit employment systems of the State, preference shall be given to persons aged sixty or over for any staff positions (full-time or part-time) in the State agency for which such persons qualify. Title III area plans shall provide for adequate numbers of qualified staff working

full or part-time, including older persons, handicapped individuals, women and members of minority groups, for the development and implementation of the plan. Title VII projects will give preference to persons aged 60 and over and full consideration to minority group members, women and handicapped individuals in hiring for all staff positions.

4. Affirmative Action Plans

The single organization unit of the State agency has developed and is implementing an affirmative action plan for employment opportunity in all aspects of personnel administration. The affirmative action plan contains quantifiable goals relative to employment and upgrading of minorities, women, handicapped, and persons 60 and above, action steps with timetables and identification of organizational units or individuals responsible for carrying out steps to achieve the goals, grievance and appeal procedures regarding discrimination in employment, provision for training and upgrading skills of staff to ensure upward mobility, and provision for continued monitoring and assessment of plan, with updating of plan as appropriate. The State Agency will neither renew nor grant new approvals of Title III area plans or Title VII nutrition projects unless the area plan or project applications contain an acceptable affirmative action plan.

5. Civil Rights Compliance

The State Agency has developed and is implementing a system to ensure that benefits and services available under the State Plan are provided in a non-discriminatory manner as required by Title VI of the Civil Rights Act of 1964.

6. Services for Elderly Indian Tribal Members

Elderly members of each Indian tribe in the State and each tribe in each planning and service area for which an area plan is to be approved, will receive a level of services under Title III that will provide benefits equivalent to the benefits to be received by all non-Indian elderly individuals in the State or Planning and Service Area

7. Non-Discrimination on the Basis of Handicap

All recipients of funds from the State Agency are required to operate each program or activity so that, when viewed in its entirety, the program or activity is readily accessible to and usable by handicapped persons. Where structural changes are required, these changes shall be made as quickly as possible, but by June 3, 1980 at the latest, in keeping with 45 CFR 84.

8. Composition of State Advisory

At least one-half of the membership of the State Advisory Committee consists of actual consumers of services under the Title III program, including low income and minority older persons, at least in proportion to the number of minority older persons in the State, with the remainder being broadly representative of the major public and private organizations in the State who are experienced in or have demonstrated particular interest in the special needs of the elderly.

The State Agency will obtain advisory assistance from consumers of services under the Title VII program, including members of minority groups, and persons knowledgeable in the provision of nutrition services.

If the State is a single State Planning and Service Area, the State Agency will include on the State Advisory Committee a representative of the nutrition project council or, if there is more than one nutrition project located within the planning and service area, the nutrition project council representative designated by the project councils.

9. Reviews of State Plan by State Advisory Committee

The State Advisory Committee has reviewed the State Plan prior to the conduct of the public hearing (s); and again reviewed the State Plan prior to submission to the Governor.

10. Direct Provision of Social Services

No social service will be directly provided by the State Agency or Area Agency, except where, in the judgement of the State Agency, provision of such service by the State Agency or Area Agency is necessary to assure an adequate supply of such service.

11. National Priority Services

The State will use not less than fifty percent (50%) of the increase, if any, in its allotment for the Fiscal Year for the Area Planning and Social Services Program over that which it received in Fiscal Year 1975 for such purposes, to support some or all of the National Priority Services set forth under Section 305 (b) of the Act; and

The State will not use less than twenty percent (20%) of its allotment for the Fiscal Year for the Area Planning and Social Services set forth under Section 305 (b) of the Act.

or

The State will use at least thirty-three and one third percent (33 1/3%) of its allotment for the Fiscal Year for the Area Planning and Social Services Program to support some or all of the National Priority Services set forth under Section 305 (b) of the Act.

(X)

State of Montana
Office of The Governor
Helena, 59601

THOMAS L. JUDGE
GOVERNOR

August 10, 1979

Commissioner Robert Benedict
Administration on Aging
Department of Health, Education and Welfare
Washington, D.C. 20201

Dear Commissioner Benedict:

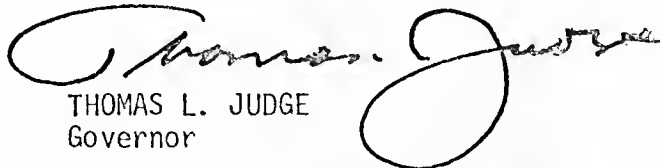
The Montana Department of Social and Rehabilitation Services/Aging Services Bureau has reviewed the material submitted in the FY 1979 State Plan on Aging and has concluded that we anticipate no significant changes in the approved FY 1979 State Plan for the period of FY 1980 and FY 1981.

Therefore, I ask that you approve our 1979 State Plan on Aging as our three year plan for FY 1979, 1980, and 1981. We request that you withdraw your approval of an Amendment to our 1979 State Plan which granted a waiver of the three year plan requirement provided in Section 307 (a) of the Older Americans Act of 1965 as Amended.

For your consideration, we are submitting EXHIBIT A- Assurances of Meeting New Requirements and EXHIBIT B - Assurances/Requests for Waiver of Meeting New Requirements to support our request.

Best regards.

Sincerely,


THOMAS L. JUDGE
Governor

ASSURANCES OF MEETING NEW REQUIREMENTS OF
THE AMENDED ACT FOR WHICH NO WAIVER CAN BE GRANTED

The Department of Social and Rehabilitation Services
The Aging Services Bureau assures that
(designated sole State agency)
it will administer Title III of the Older Americans Act as amended
in accordance with all of the following new requirements of the Act

REQUIREMENT:

STATE ALLOTMENT

1. Section 304 (d) (1) (A)

Such amount as the State agency determines but no more
that 8.5 percent of the State's allotment will be used
for paying such percentage as the State determines but
no more than 75 percent of the cost of administration
of area plans.

STATE AGENCY RESPONSIBILITIES

2. Section 305(a) (1) (d)

In addition to former duties, the State agency will
serve as an effective and visible advocate by reviewing
and commenting upon all State plans, budgets and
policies which affect the elderly and providing
technical assistance to agencies, organizations,
associations and individuals serving the elderly.

3. Section 305(a) (2) (B)

The State agency in matters of general policy relative
to the development and administration of the State
plan will also take into account the views of
nutrition services recipients and multipurpose
senior center participants.

4. Section 305(a) (2) (E)

Preference will be given to older individuals with
the greatest economic or social needs in the
provision of services under this plan.

ASSURANCES OF MEETING NEW REQUIREMENTS OF
THE AMENDED ACT FOR WHICH NO WAIVER CAN BE GRANTED

REQUIREMENT:

5. Section 305(b)(1)

Upon request the State agency will provide an opportunity for a hearing to any unit of general purpose local government with a population of 100,000 or more if such unit make an application to be designated as a planning and service area.

AREA PLANS

6. Section 306(b)(1)

The State agency will waive for FY 1980, an area plan requirement relating to the delivery of services or the establishment or operating of multipurpose senior centers only if the State agency determines that the area cannot meet the requirement because of major difficulties in achieving the consolidation directed by the Comprehensive Older Americans Act Amendments of 1978, and if the area agency demonstrates to the State agency that it is taking steps to meet the requirements of Title III of the Act as soon as possible prior to September 30, 1980. The State agency will not grant a waiver for any requirement of this Act in effect on September 30, 1978.

STATE PLANS

7. Section 307(a)(1)

The State will prepare and distribute a uniform format for use by area agencies in developing area plans under Section 306.

8. Section 307(a)(3)(A)

The State agency will also evaluate the need for nutrition services and multipurpose senior centers and will include legal services in its evaluation of the need for social services.

ASSURANCES OF MEETING NEW REQUIREMENTS OF
THE AMENDED ACT FOR WHICH NO WAIVER CAN BE GRANTED

REQUIREMENT:

STATE PLANS (Continued)

9. Section 307(a)(3)(B)

The State agency will spend in each fiscal year, for services to older individuals residing in rural areas in the State assisted under this title, an amount equal to not less than 105 percent of the amounts expended for such services (including amounts expended under Title V and Title VII) in FY 1978.

10. Section 307(a)(4)

The State agency will, where necessary in providing for the use of proper and efficient methods of administration, also provide for the reorganization and rearrangement of functions, to assure efficient administration.

11. Section 307(a)(5)

The State agency will grant a hearing upon request to any area agency on aging submitting a plan under Title III, to any provider of a service under such a plan, or to any applicant to provide a service under such plan.

12. Section 307(a)(7)

The State agency will provide satisfactory assurance that such fiscal control and financial accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid to the recipients of a grant or contract.

13. Section 307(a)(10)

No social services, including nutrition services, will be directly provided by the State agency or an area agency on aging, except where, in the judgment of the State agency, provision of such services by the State agency or an area agency on aging is necessary to assure an adequate supply of such services.

ASSURANCES OF MEETING NEW REQUIREMENTS OF
THE AMENDED ACT FOR WHICH NO WAIVER CAN BE GRANTED

REQUIREMENT:

STATE PLANS (Continued)

With respect to nutrition services, the State assures that:

14. Section 307(a)(13)(B)

Each project will provide meals in a congregate setting and home delivered meals may be provided based on a determination of need made by the recipient of a grant or contract for nutrition services under this title.

15. Section 307(a)(13)(C)(ii)

Charges for meals will be used to increase the number of meals served by the project involved.

16. Section 307(a)(13)(D)

Each project will give particular attention to multipurpose senior centers when selecting an appropriate community facility for congregate meals and for comprehensive social services.

17. Section 307(a)(13)(E)

The area agency will give consideration, where feasible, in the furnishing of home delivered meals to organizations which have demonstrated ability to provide home delivered meals and which assure the area agency that funds available from the Older Americans Act will not supplant funds from non-Federal sources.

With respect to multipurpose senior centers, the State assures that:

18. Section 307(a)(14)(A)(i)

The facility will be used for the purpose for which it was acquired or constructed for not less than 10 years after acquisition or not less than 20 years after the completion of construction.

ASSURANCES OF MEETING NEW REQUIREMENTS OF
THE AMENDED ACT FOR WHICH NO WAIVER CAN BE GRANTED

REQUIREMENT:

STATE PLANS (Continued)

19. Section 307(a)(14)(A)(ii)(iii)&(iv)

Sufficient funds will be available to meet the non-Federal share of the cost of acquisition or construction of the facility; sufficient funds will be available when acquisition or construction is completed, for effective use of the facility for the purpose for which it is being acquired or constructed; and the facility will not be used and is not intended to be used for sectarian instruction or as a place for religious worship.

20. Section 307(a)(14)(B)

Facilities will not be purchased or constructed to be used as multipurpose senior centers in an area if the State agency has determined that there are existing facilities which can be used or leased for use as a multipurpose senior center.

21. Section 307(a)(14)(C)

The plans and specification for the facility are in accordance with regulations relating to minimum standards of construction, promulgated with particular emphasis on securing compliance with the requirements of the Act of August 13, 1978, commonly known as the Architectural Barriers Act of 1968.

22. Section 307(a)(14)(D)

All work on the facility will be done in compliance with the provisions of the Davis-Bacon Act and any related guidelines or regulations issued by the Secretary of Labor.

23. Section 307(a)(14)(E)

The State agency will consult with the Secretary of Housing and Urban Development with respect to the technical adequacy of any proposed alteration or renovation.

ASSURANCES OF MEETING NEW REQUIREMENTS OF
THE AMENDED ACT FOR WHICH NO WAIVER CAN BE GRANTED

REQUIREMENT:

STATE PLANS (Continued)

With respect to legal services, the State assures that:

24 Section 307(a)(15)(D)

To the extent particable, legal services furnished under the plan will be in addition to any legal services for older individuals being furnished with funds from sources other than this Act and reasonable effort will be made to maintain existing levels of legal services for older individuals.

With respect to the Long-Term Care Ombudsman Services, the State assures that:

25. Section 307(a)(16)

From funds allotted under Section 304(a) for Part B of Title III (relating to social services), the State agency will use an amount equal to 1 percent of this allotment or \$20,000, whichever is greater, for the purpose of Section 307(a)(12) unless for any fiscal year, a State spends from State or local sources an equivalent amount for this purpose.

(This assurance is not required of American Samoa, Guam, Virgin Islands, the Trust Territory of the Pacific Islands and the Northern Mariana Islands).

EXISTING PROJECTS

26. Section 501(b)

Any project receiving funds under title VII of the Older Americans Act of 1965, as in effect on the day before the effective date of this Act, shall continue to receive funds under part C of title III of such Act, as amended by this Act, if such project meets the requirements and criteria established in such title III, as amended by this Act, except that a State, pursuant to regulations prescribed by the

ASSURANCES OF MEETING NEW REQUIREMENTS OF
THE AMENDED ACT FOR WHICH NO WAIVER CAN BE GRANTED

REQUIREMENT:

EXISTING PROJECTS (Continued)

Commissioner on Aging, shall not discontinue, the payment of such funds to a project unless such State, after a hearing (if requested by the person responsible for administering such project), determines that such project has not carried out activities supported by such funds with demonstrated effectiveness.

ASSURANCES/REQUESTS FOR WAIVER OF MEETING NEW REQUIREMENTS
FOR WHICH A WAIVER MAY BE GRANTED FOR FY 1980

The Department of Social and Rehabilitation Services
Aging Services Bureau assures that
(designated sole State agency)
it will administer Title III of the Older Americans Act as amended in accordance with all of the new requirements of the Act identified in Exhibits B.1 through B.9 except for those requirements for which the State agency requests and for which the Commissioner on Aging grants a waiver for FY 1980.

The State agency hereby certifies the following as part of its request for any waiver(s).

The State agency is requesting a waiver for only those requirements which it has determined it cannot meet for all of FY 1980 because of consolidation, or because meeting the requirements would reduce or jeopardize service under the Act, or because the Act specifies that implementation of the requirement be "in accordance with guidelines issued by the Commissioner."

For each new requirement for which the State requests a waiver for FY 1980, the State agency is submitting an implementation plan for meeting the requirement by no later than September 30, 1980.

The State agency assures that it will adhere to the schedule set forth in its implementation plan. The State recognizes that if the Commissioner on Aging grants the requested waiver and approves the plan based on this assurance and the State fails to adhere to this schedule the State will be subject to compliance action under section 307 (d) of the Act.

ASSURANCE /REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 304(d) (1) (B)

REQUIREMENT:

STATE ALLOTMENT FOR SERVICES PROVIDED UNDER AREA PLANS

The portion of the State's allotment* not used for paying the cost of administration of area plans will be available only for paying such percentage as the State determines, but not more than 90 percent, of the cost of social services and nutrition services authorized under Title III, Parts B and C provided in the State as part of a comprehensive and coordinated system in planning and service areas for which there is an area plan approved by the State agency.

*Excepting the provision of funds for the long-term care ombudsman program /Sec. 307(a)(16)___/

- A. Provide a brief description of the status of the State in regard to this requirement.
If a waiver of this requirement is requested for all of FY 1980:
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.
(A waiver may only be granted if the State cannot meet the requirement because of consolidation or, because meeting the requirement would reduce or jeopardize services and the State demonstrates that it is taking steps to meet the requirement.)
If a waiver of this requirement is requested for all of FY1980 but was not requested for FY 1979:
- D. Provide background information in this regard.

☒

The State assures that it will meet this requirement for all of FY 1980.

☐

The State request a waiver of this requirement through September 30, 1980.

ASSURANCE/REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 304(d)(1)(L)
(Continuation Page)

The Aging Services Bureau presently approves area plans and nutrition projects after reviewing the fiscal and program components in each. Beginning January 1, 1980, the Bureau will be approving only area plans, as all Title IIIB and IIIC funds will be allocated through the State's Area Agencies on Aging. The Bureau will continue to require a minimum match of 90/10 in program phases of the plans. The Bureau will not approve any area plans which indicate a local, non-federal match of less than 10% in program activities.

ASSURANCE/REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 305(a)(1)(E)

REQUIREMENT:

PLANNING AND SERVICE AREA DESIGNATION

The State agency will divide the State into planning and service areas in accordance with guidelines issued by the Commissioner.

- A. Provide a brief description of the status of the State in regard to this requirement.
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.

The State of Montana is presently divided into seven Planning and Service Areas (six Geographic PSA's covering the entire State and one PSA comprised of six of the State's seven Indian Reservations). All of the above PSAs have an Area Agency with an approved area plan providing and/or contracting for services throughout the PSA. This structure will be continued through FY1980.

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The State requests a waiver of this requirement through September 30, 1980.

ASSURANCE /REQUEST FOR WAIVER FOR MEETING
THE NEW REQUIREMENT UNDER SECTION 305(a)(2)(C)&(D)

REQUIREMENT:

INTRASTATE FUNDING FORMULA

The State agency will, in accordance with guidelines issued by the Commissioner, develop, publish and submit to the Commissioner for review and comment, a formula for the distribution of Title III funds within the State.

- A. Provide a brief description of the status of the State in regard to this requirement.
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.

The Aging Services Bureau distributes all funds - Title IIIB, Title IIIC, and State Program monies - to Planning and Service Areas within the State by a 60/20/20 population formula. Sixty percent (60%) of the funds are allocated to PSA's according to the total 60+ population; twenty percent (20%) according to the 60+ minority population; and, twenty percent (20%) according to the 60+ low-income population. The only federal funds not allocated to PSA's by the 60/20/20 formula are the monies - the 8.5% of Title IIIB - allowed for area agency administration. These funds are allocated equally to all area agencies.

Population data for each PSA on a county/reservation by county/reservation basis for the total number of 60+ persons, the total number of 60+ minority persons and the total number of 60+ low-income persons are taken from the most reliable census date. Each funding source - Title IIIB, Title IIIC, etc. - is divided into three amounts - sixty



The State requests a waiver of this requirement through September 30, 1980.

ASSURANCE/REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 305 (a) (2) (C) & (D)
(Continuation Page)

percent (60%), twenty percent (20%) and twenty percent (20%) - of the total State allotment. The appropriate population percentages are then applied to the three amounts to determine the total allocation of each funding source for each PSA.

Montana requests a waiver to continue to use this formula through September 30, 1980. The formula addresses the following criteria: Funds are made available to PSAs based on total concentrations of senior citizens; concentrations of minority senior citizens; and, concentrations of low-income senior citizens. Continuation with the present formula will also give continuity to Montana's Aging Network's Programs and Planning. Local match requests must be made by program providers and area agencies by July 31, each year. (The state is on a July/June fiscal year and this is when local governments set their budgets). Area agencies have already requested these matching funds based on the tentative FY1980 federal fund levels to be allocated to them by the 60/20/20 formula.

ASSURANCE/REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 305(a)(2)(E)

REQUIREMENT:

METHODS OF CARRYING OUT PREFERENCE FOR OLDER INDIVIDUALS
WITH GREATEST ECONOMIC OR SOCIAL NEEDS

The State plan contains proposed methods of carrying out the preference to older individuals with the greatest economic or social needs.

- A. Provide a brief description of the status of the State in regard to this requirement.
If a waiver of this requirement is requested for all of FY 1980:
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.
(A waiver may only be granted if the State cannot meet the requirement because of consolidation or, because meeting the requirement would reduce or jeopardize services and the State demonstrates that it is taking steps to meet the requirement.)
If a waiver of this requirement is requested for all of FY1980 but was not requested for FY 1979:
- D. Provide background information in this regard.

The Aging Services Bureau feels that it is meeting this requirement through the use of its 60/20/20 allocation formula - See Exhibit B.3 - and in the present review system of the State's annual area plans. Each plan is required to state how each objective in the plan will effect low income and minority senior citizens and how many in these groups will be served for the duration of the area plan. Both of these groups are defined as being individuals with "economic and social needs" in the proposed federal regulations.

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The State assures that it will meet this requirement for all of FY 1980.

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The State requests a waiver of this requirement through September 30, 1980.

ASSURANCE /REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307(a)

REQUIREMENT:

THREE YEAR STATE PLAN

The State agency will submit a State plan for a three year period with such annual revisions as are necessary.

- A. Provide a brief description of the status of the State in regard to this requirement.
If a waiver of this requirement is requested for all of FY 1980:
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.
(A waiver may only be granted if the State cannot meet the requirement because of consolidation or, because meeting the requirement would reduce or jeopardize services and the State demonstrates that it is taking steps to meet the requirement.)
If a waiver of this requirement is requested for all of FY1980 but was not requested for FY 1979:
- D. Provide background information in this regard.

See attached cover letter signed by the Governor of Montana.

☒

The State assures that it will meet this requirement for all of FY 1980.

☐

The State requests a waiver of this requirement through September 30, 1980.

ASSURANCE /REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307(a)(1)

REQUIREMENT:

STATE PLAN BASED ON AREA PLAN

The State plan will be based on area plans developed by area agencies on aging within the State.

- A. Provide a brief description of the status of the State in regard to this requirement.
If a waiver of this requirement is requested for all of FY 1980:
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.
(A waiver may only be granted if the State cannot meet the requirement because of consolidation or, because meeting the requirement would reduce or jeopardize services and the State demonstrates that it is taking steps to meet the requirement.)
If a waiver of this requirement is requested for all of FY1980 but was not requested for FY 1979:
- D. Provide background information in this regard.

Montana's FY1979 State Plan is based on seven area agency plans and four nutrition (old Title VII) projects funded directly from the Aging Services Bureau. The Bureau will allocate all funding to seven area agencies beginning January 1, 1980. For the interim (10/1/79 through 12/31/79), the Bureau is allowing the present area agency and nutrition project (old Title VII) grantees to extend their program periods through December 31, 1979. (All area agency and nutrition project periods presently end September 30, 1979).

The Bureau and the State Aging Network will use this "transition" quarter to:

☐

The State assures that it will meet this requirement for all of FY 1980.

☒

The State requests a waiver of this requirement through September 30, 1980

ASSURANCE/REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307(a)(1)
(Continuation Page)

1. Negotiate the most equitable consolidation for both the area agencies and nutrition projects.
2. Develop the FY1980 area agency plans based on the new federal regulations.
3. Utilize the new area plan formats which are to be developed by the Administration on Aging.
4. Hold the public hearings on those new area agency plans.

ASSURANCE /REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307(a)(2)

REQUIREMENT:

AREA PLAN REQUIREMENTS (SECTION 306)

Each area agency will develop and submit to the State agency for approval an area plan which complies with Section 306 of the Act.*

*The Commissioner will waive this requirement only if the State demonstrates that it is taking steps towards meeting the consolidation requirements of this title. Part of this demonstration must be an assurance, as provided in Exhibit A, #6, that the State agency will waive, for FY 1980, new area plan requirements relating to consolidation only when the State determines that the area agency cannot meet them because of consolidation, and that the area agency is taking steps to meet the requirements of the Act as soon as feasible, but no later than September 30, 1980.

- A. Provide a brief description of the status of the State in regard to this requirement.
If a waiver of this requirement is requested for all of FY 1980:
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.
(A waiver may only be granted if the State cannot meet the requirement because of consolidation or, because meeting the requirement would reduce or jeopardize services and the State demonstrates that it is taking steps to meet the requirement.)
If a waiver of this requirement is requested for all of FY1980 but was not requested for FY 1979:
- D. Provide background information in this regard.

Please see the waiver request of Exhibit B.7., that request covers the State's plan for consolidaton and its relative requirements.

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The State assures that it will meet this requirement for all of FY 1980.

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The State requests a waiver of this requirement through September 30, 1980.

ASSURANCE /REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307(a) (12)

REQUIREMENT:

LONG TERM CARE OMBUDSMAN SERVICES

With respect to long-term care ombudsman services, the State assures that:

The State agency will-

A. establish and operate, either directly or by contract or other arrangement with any public agency or other appropriate private nonprofit organization which is not responsible for licensing or certifying long-term care services in the State or which is not an association (or an affiliate of such an association) of long-term care facilities (including any other residential facility for older individuals), a long-term care ombudsman program which will-

- i. investigate and resolve complaints made by or on behalf of older individuals who are residents of long-term care facilities relating to administrative action which may adversely affect the health, safety, welfare, and rights of such residents;
 - ii. monitor the development and implementation of Federal, State, and local laws, regulations, and policies with respect to long-term care facilities in that State;
 - iii. provide information as appropriate to public agencies regarding the problems of older individuals residing in long-term care facilities;
 - iv. provide for training volunteers and promote the development of citizen organizations to participate in the ombudsman program; and
 - v. carry out such other activities as the Commissioner deems appropriate;
- B. establish procedures for appropriate access by the ombudsman to long-term care facilities and patients' records, including procedures to protect the confidentiality of such records and ensure that the identity of any complainant or resident will not be disclosed without the

ASSURANCE /REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307(a)(12)

REQUIREMENT:

written consent of such complainant or resident, or upon court order;

C. establish a statewide uniform reporting system to collect and analyze data relating to complaints and conditions in long-term care facilities for the purpose of identifying and resolving significant problems, with provision for submission of such data to the agency of the State responsible for licensing or certifying long-term care facilities in the State and to the Commissioner on a regular basis; and

D. establish procedures to assure that any files maintained by the ombudsman program shall be disclosed only at the discretion of the ombudsman having authority over the disposition of such files, except that the identity of any complainant or resident of a long-term care facility shall not be disclosed by such ombudsman unless -

i. such complainant or resident, or his legal representative, consents in writing to such disclosure; or

ii. such disclosure is required by court order.

A. Provide a brief description of the status of the State in regard to this requirement.

If a waiver of this requirement is requested for all of FY 1980:

B. Provide a justification for the waiver request;

C. Provide a description of the steps taken to meet this requirement.

(A waiver may only be granted if the State cannot meet the requirement because of consolidation or, because meeting the requirement would reduce or jeopardize services and the State demonstrates that it is taking steps to meet the requirement.)

If a waiver of this requirement is requested for all of FY 1980 but was not requested for FY 1979:

D. Provide background information in this regard.

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The State assures that it will meet this requirement for all of FY 1980.

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The State requests a waiver of this requirement through September 30, 1980.

ASSURANCE/REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307 (a)(12)
(Continuation Page)

For FY80, the Bureau will contract with the Montana Legal Service Corporation for the Long Term Care Ombudsman Service. This group will be responsible for all requirements of the program and will coordinate their efforts with the Montana Aging Network. A full-time Nursing Home Ombudsman will be employed by MLSC to investigate and resolve complaints made by or on behalf of older persons. MLSC will continue to employ a full-time attorney to supervise this Ombudsman and the activities of this objective. Both staff people will be responsible to coordinate their efforts with the I & R Program in Montana as a means of further coordination and contacts with nursing home residents.

ASSURANCE_/REQUEST FOR WAIVERS OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307(a)(15)

REQUIREMENT:

LEGAL SERVICES

With respect to legal services, the State assures that:

A. Area agencies on aging will (i) enter into contracts with providers of legal services which can demonstrate the experience or capacity to deliver legal services; (ii) include in any such contract provisions to assure that any recipient of funds under division (i) will be subject to specific restrictions and regulations promulgated under the Legal Services Corporation Act (other than restrictions and regulations governing eligibility for legal assistance under such Act and governing membership of local governing boards) as determined appropriate by the Commissioner; and (iii) attempt to involve the private bar in legal services activities authorized under this title including groups within the private bar furnishing services to older individuals on a pro bono and reduced fee basis;

B. No legal services will be furnished unless the grantee-

i. is a recipient of funds under the Legal Services Corporation Act; or

ii. administers a program designed to provide legal services to all elderly individuals with social or economic need and has agreed to coordinate its services with existing Legal Services Corporation projects in the area in order to concentrate the use of funds provided under this title on individuals with the greatest such need but who are not eligible for legal assistance under the Legal Services Corporation Act; and the area agency makes a finding after assessment, pursuant to standards for service promulgated by the Commissioner, that any grantee selected is the entity best able to provide the particular services.

C. The State agency will provide for the coordination of the furnishing of legal services to older individuals within the State and support in furnishing of training and technical assistance for legal services for older individuals.

ASSURANCE /REQUEST FOR WAIVER OF MEETING
THE NEW REQUIREMENT UNDER SECTION 307 (a) (15)

- A. Provide a brief description of the status of the State in regard to this requirement.
If a waiver of this requirement is requested for all of FY 1980:
- B. Provide a justification for the waiver request;
- C. Provide a description of the steps taken to meet this requirement.
(A waiver may only be granted if the State cannot meet the requirement because of consolidation or, because meeting the requirement would reduce or jeopardize services and the State demonstrates that it is taking steps to meet the requirement.)
If a waiver of this requirement is requested for all of FY1980 but was not requested for FY 1979:
- D. Provide background information in this regard.

In FY80, Montana will contract with the Montana Legal Service Corporation for the legal service functions for the Agency network. This service will be coordinated with the Long Term Care Component as well. It is our belief that both services are difficult to separate and are best operated as a joint effort. MLSC will employ para-legals to work in each local Legal Service Office throughout the State. These people will be trained to represent seniors in the following areas: food stamp issues, Social Security hearings, Medicaid questions, utility rate hearings, and general advocacy issues.

These goals and objectives are listed in detail in Montana FY80 Advocacy Assistance Grant Application.

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The State assures that it will meet this requirement for all of FY 1980.

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The State requests a waiver of this requirement through September 30, 1980.

